IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

WP(C).No. 3096 of 2005(R)

PETITIONER:

ALEYKUTTY LUKA, AGED 74 YEARS,
POONTHURUTHIL HOUSE, ULLANAD P.O.,
686651 BHARANANGANAM VILLAGE.

BY ADV. SRI.S.K.MURALEEDHARA KAIMAL

RESPONDENTS:

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1. **ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), OFFICE OF THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), MEENACHIL, PALA.**

2. **SPECIAL SALE OFFICER, CO-OPERATIVE CIRCLE OFFICE, PALA.**

3. **KIZHATHADIYUR SERVICE CO-OPERATIVE BANK LTD.NO. 1995, HEAD OFFICE, PALA REPRESENTED BY ITS SECRETARY.**

4. **P.S.SHAJIMON, POOVATHUNGAL, ULLANADU P.O. 686 651.**

BY ADV. SRI.P.C.HARIDAS
BY GOVERNMENT PLEADER SMT.LATHA THANKAPPAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH, J.

W.P.(C) No. 3096 of 2005

Dated 26th February, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayer.

> "Issue a writ of mandamus or other appropriate writ, direction or order directing the 1st respondent to issue certified copies of the awards in respect of EA No.1151/2003, 1152/2003, 1153/2003, 1155/2003, 1156/2003 and 1157/2003 of receipt of an application thereof.

There is also a prayer to settle the dues under the One Time Settlement Scheme. The learned counsel for the Bank submits that the benefit of the same is available only to the members of the society. The petitioner is not a member and as far as the alleged transaction is concerned, petitioner is a strange and the original loanee is somebody else. In the above circumstances, the writ petition is disposed of as follows:

In case the certified copies of the award is not issued to the petitioner, the 1st respondent shall issue the same within a period of one month from the date of receipt/production of a copy of this judgment. It will open to the petitioner to pursue the remedy before the Tribunal under Section 82 of the Act. It will also be open to the petitioner to approach the bank seeking One Time

Settlement. In order to enable the petitioner to avail the benefits as above, proceedings for recovery shall be deferred for a period of four months from today. It will also be open to the petitioner to approach the Bank for adjustment of the amounts already remitted, in which case also, the matter will be duly considered by the bank.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

W.P.(C)No. of 2002

J U D G M E N T

Dated 21st February, 2007.